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Attorney Docket No: 19374-502NATL (GND-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 21 2001

TECH CENTER 1600/2900

APPLICANT: Sean Farmer

ASSIGNEE: GANEDEN BIOTECH, INC.

SERIAL NUMBER: 09/647,695

EXAMINER: R. Davis

FILING DATE: April 6, 2001

ART UNIT: 1651

FOR: METHODS FOR REDUCING CHOLESTEROL USING BACILLUS
COAGULANS SPORES SYSTEMS AND COMPOSITIONS

August 16, 2001
Boston, Massachusetts

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

This is a response to the Restriction Requirement, mailed July 16, 2001, setting forth a Restriction Requirement in the above-identified application.

Although the Applicant believes that no additional fees are due with the submission of the Response, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit overpayment of same, to Deposit Account No. 50-0311 (Reference No. 19374-502NATL; GND-2).

RESTRICTION REQUIREMENT ELECTION UNDER 35 U.S.C. §121

In response to the Restriction Requirement, mailed July 16, 2001, setting forth a Restriction Requirement in the above-identified application, Applicant elects, without traverse, the invention of Group I (claims 1-30), drawn to methods for decreasing serum cholesterol.

Applicant reserves the right to prosecute claims which are equal to or broader in scope in this, or future applications related to the above-identified patent application.

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CONCLUSION

On the basis of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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